

Application No.: 10/565,859
Amendment Dated: November 24, 2008
Reply to Office Action of: August 25, 2008

MAT-8809US

Amendments to the Drawings:

The attached sheets of drawings include changes to Figures 2, 3, 5, 18, 19, 36 and 37. These sheets replace the original sheets.

Remarks/Arguments:

Claims 1-34 are pending and stand rejected.

By this Amendment, claims 1-31 and 33-34 are amended.

No new matter is presented by the claim amendments. Support for the claim amendments can be found throughout the original specification and, for example, in the original specification at page 29, line 19, to page 30, line 23.

Drawing Objections

In the Office Action, at item 1, the drawings are objected to because Figs. 1-40 should have proper descriptive legends.

Applicants submit that Figs. 1, 4, 6-17, 20-35 and 38-40 include proper descriptive legends. Corrected drawings are enclosed for Figs. 2, 3, 5, 18, 19, 36 and 37 to overcome this objection.

Reconsideration is respectfully requested.

Claim Objections

In the Office Action, at item 3, claims 15 and 33 are objected to for informalities therein.

Applicants have amended claims 15 and 33 to overcome these claim objections.

Rejection of Claims 9-15, 18-29 and 34 under 35 U.S.C. § 112, Second Paragraph

In the Office Action, at item 5, claims 9-15, 18-29 and 34 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. It appears from the body of this rejection that claim 7 should also be included in the rejection. Accordingly, Applicants will address claim 7, as well.

Claims 7, 9-15, 28-29 and 34 have been amended to overcome this rejection.

Reconsideration is respectfully requested.

Rejection of Claims 1, 7, 14 and 15 under 35 U.S.C. § 103(a)

In the Office Action, at item 9, claims 1, 7, 14 and 15 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Chaskar et al. (U.S. Patent Publication No. 2004/0137902, hereafter referred to as Chaskar) in view of Norrgard et al. (U.S. Patent Publication 2005/0105475, hereafter referred to as Norrgard).

Reconsideration is respectfully requested.

Claim 1

Claim 1 is directed to a mobile communication method for communication with a mobile communication apparatus when moving between a source access router apparatus and a destination access router apparatus, and recites:

... selectively operating, by the mobile communication apparatus, between or among a plurality of operating modes based on at least the determined compliance of the source access router apparatus with the Fast Mobile IP,

in a first one of the operating modes: the mobile communication apparatus requests information to a home agent apparatus on the destination access router apparatus ...

in a second one of the operating modes, the mobile communication apparatus sends information to the source access router apparatus to implement a Fast Mobile IP procedure.

That is, a mobile communication apparatus selects between or among a plurality of operating modes based on compliance of the source address rather apparatus with Fast Mobile IP, and the plurality of operating modes includes a first one and a second one of the operating modes.

Chaskar Reference

Chaskar discloses a smart inter-technology handover control to control handover between a first technology network and a second technology network. Information regarding regions of an area of the first technology network are detected such that initiation of a handover procedure between the first and second technology networks is based on the detected region information. In Chaskar, the first technology network may be a WLAN and the second technology network may be a cellular network. Chaskar discloses two policies. The first policy is that inter-technology handoff is initiated conservatively when a user of the mobile terminal or terminal mode is still within the area of the first technology network. The second policy is to maintain connectivity only with the WLAN as long as the user remains within the WLAN footprint. (See Chaskar at Paragraphs [0036] and [0041] to [0042].) Although Chaskar discloses the use of two different standards (mobile IPV4 and fast handoff from mobile IPV6, these implementations are disclosed as being applied independently. Thus, Chaskar teaches the use of inter technology handoffs using a single protocol either mobile IPV4 or fast handoff from mobile IPV6. Thus, Chaskar is silent regarding "selectively operating ... between or among a plurality of operating modes based on at least the determined compliance of a source access router apparatus with the Fast Mobile IP" or a first one and a second one of the operating modes, as required by claim 1.

Norrgard Reference

The addition of Norrgard does not overcome the deficiencies of Chaskar. This is because, Norrgard does not disclose or suggest "selectively operating, by the mobile communication apparatus, between or among a plurality of operating modes based on at least the determined compliance of the source access router apparatus with the Fast Mobile IP" or a first one and a second one of the operating modes, as required by claim 1. In the Office Action, at page 6, the Examiner contends that Norrgard discloses "a mobile communication apparatus determines whether a pre-movement source access router apparatus connected therewith complies with Fast Mobile IP or not (see Paragraph 24, lines 1-7, Paragraph 54, lines 1-8)." Applicants disagree with the Examiner's contention. Norrgard, at the portion cited by the Examiner, discloses

that link-state protocols are based on the principal that all routers keep an up-to-date database with information on all routers in the domain. In Norrgard, a topology awareness system can take advantage of the link-state principal and learn about all routers in the topology from routing protocol messages. Norrgard, however, does not disclose details about the information kept by the routers and, more particularly does not disclose details regarding Fast Mobile IP or compliance of a router apparatus with Fast Mobile IP.

Accordingly, claim 1 is submitted to patentably distinguish over Chaskar in view of Norrgard for at least the above-mentioned reasons.

Claims 7, 14 and 15

Claims 7, 14 and 15, which includes similar but not identical features to those of claim 1, are submitted to patentably distinguish over Chaskar in view of Norrgard for at least similar reasons to those regarding claim 1.

Rejection of Claims 2-6, 8-10, 16-21, 28-29 and 34 under 35 U.S.C. § 103(a)

In the Office Action, at item 10, claims 2-6, 8-10, 16-21, 28-29 and 34 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Chaskar in view of Norrgard in further view of Leung (U.S. Patent No. 6,636,498).

Reconsideration is respectfully requested.

Claims 16, 28 and 34

Claims 16, 28 and 34, which include similar but not identical features to those of claim 1, are submitted to patentably distinguish over Chaskar in view of Norrgard for at least similar reasons to those regarding claim 1.

Claims 2-6, 8-10, 17-21 and 29, which include all of the limitations of claim 1, 16, or 28, are submitted to patentably distinguish over Chaskar in view of Norrgard for at least the same reasons as their respective independent claims.

Leung Reference

Leung discloses an apparatus for providing mobile IP router functionality. In Leung, the home agent receives a registration request packet which may include a care-of address for a mobile router. Networks associated with the mobile router are then identified. The home agent then updates a routing table to associate the identified networks with the care-of address. The mobile agent of Leung updates a mobility binding table with the care-of address for the mobile router. (see Leung at Column 5, lines 32-60.) Leung, however, is silent regarding Fast Mobile IP and, more particularly, "selectively operating by one of the mobile communication apparatus, between or among a plurality of operating modes based on at least the determined compliance of the source access router apparatus with the Fast Mobile IP" or a first one and a second one of the operating modes, as required by claim 1 and similarly by the other independent claims.

Accordingly, claims 2-6, 8-10, 16-21, 28-29 and 34 are submitted to patentably distinguish over Chaskar in view of Norrgard in further view of Leung for at least the above-mentioned reasons.

Rejection of Claims 11-13, 22-27 and 30-33

In the Office Action, at item 11, claims 11-13, 22-27 and 30-33 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Chaskar in view of Norrgard in further view of Leung further in view of Okajima et al. (U.S. Patent Publication No. 2004/0114554 hereafter referred to as Okajima).

Reconsideration is respectfully requested.

Claim 22, which includes similar but not identical features to those of claim 1, is submitted to patentably distinguish over Chaskar in view of Norrgard in further view of Leung for similar reasons to those regarding claim 1.

Claims 11-13, 23-27 and 30-33, which include all the limitations of claim 1, claim 14 or claim 22, are submitted to patentably distinguish over Chaskar in view of Norrgard in further view of Leung for at least the same reasons as their respective independent claims.

The addition of Okajima does not overcome the deficiencies of Chaskar, Norgad and Leung. This is because, Okajima does not disclose or suggest "selectively operating, by the mobile communication apparatus, between or among a plurality of operating modes based on at least the determined compliance of the source access router apparatus with the Fast Mobile IP" or a first one and a second one of the operating modes, as required by claim 1 and similarly by claims 14 and 22. Although Okajima discloses a plurality of operating modes (i.e., an active mode where buffering of packets is not necessary and an idle mode in which buffering of packets is necessary), it is silent regarding Fast Mobile IP and, more particularly, that selection of such an operating mode is based on at least the determined compliance of the source access router apparatus with the Fast Mobile IP or that the second one of the operating modes is used to implement a Fast Mobile IP procedure.

Accordingly, claims 11-13 and 30-33, which include all of the limitations of claim 1, are submitted to patentably distinguish over Chaskar in view of Norrgard in further view of Leung and further in view of Okajima for at least the same reasons regarding claim 1.

Claim 22, which includes similar but not identical features to those of claim 1, is submitted to patentably distinguish over Chaskar in view of Norrgard in further view of Leung and further in view of Okajima for at least similar reasons to those regarding claim 1.

Claims 23-27, which include all of the limitations of claim 22, are submitted to also patentably distinguish over Chaskar in view of Norrgard in further view of Leung and further in view of Okajima for at least the same reasons as claim 22.


Application No.: 10/565,859
Amendment Dated: November 24, 2008
Reply to Office Action of: August 25, 2008

MAT-8809US

Conclusion

In view of the claim amendments and remarks, Applicants submit the Application is in condition for allowance which action is respectfully requested.

Respectfully submitted,



Lawrence E. Ashery, Reg. No. 34,515
Attorney for Applicants

EB/dmw/fp

Attachments: Figures 2, 3, 5, 18, 19, 36 and 37 (7 sheets)

Dated: November 24, 2008

P.O. Box 980
Valley Forge, PA 19482
(610) 407-0700

EB_341678